

VZCZCXRO3643
PP RUEHFK RUEHKS0 RUEHNAG RUEHNH
DE RUEHKO #3285/01 3370814
ZNR UUUUU ZZH
P 020814Z DEC 08
FM AMEMBASSY TOKYO
TO RUEHC/SECSTATE WASHDC PRIORITY 9140
INFO RUEKJCS/SECDEF WASHDC PRIORITY
RHEHAAA/THE WHITE HOUSE WASHINGTON DC PRIORITY
RUEAWJA/USDOJ WASHDC PRIORITY
RULSDMK/USDOT WASHDC PRIORITY
RUCPDOG/USDOC WASHDC PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC//J5//
RHHMUNA/HQ USPACOM HONOLULU HI
RHHMHBA/COMPACFLT PEARL HARBOR HI
RHMFIUU/HQ PACAF HICKAM AFB HI//CC/PA//
RHMFIUU/USFJ //J5/JO21//
RUYNAAAC/COMNAVFORJAPAN YOKOSUKA JA
RUAYJAA/CTF 72
RUEHNH/AMCONSUL NAHA 3573
RUEHFK/AMCONSUL FUKUOKA 1212
RUEHOK/AMCONSUL OSAKA KOBE 5002
RUEHNAG/AMCONSUL NAGOYA 9217
RUEHKS0/AMCONSUL SAPPORO 1783
RUEHBJ/AMEMBASSY BEIJING 6621
RUEHUL/AMEMBASSY SEOUL 2617
RUCNDT/USMISSION USUN NEW YORK 2747

UNCLAS SECTION 01 OF 05 TOKYO 003285

SIPDIS

DEPT FOR E, P, EB, EAP/J, EAP/P, EAP/PD, PA;
WHITE HOUSE/NSC/NEC; JUSTICE FOR STU CHEMTOB IN ANTI-TRUST DIVISION;
TREASURY/OASIA/IMI/JAPAN; DEPT PASS USTR/PUBLIC AFFAIRS OFFICE;
SECDEF FOR JCS-J-5/JAPAN,
DASD/ISA/EAPR/JAPAN; DEPT PASS ELECTRONICALLY TO USDA
FAS/ITP FOR SCHROETER; PACOM HONOLULU FOR PUBLIC DIPLOMACY ADVISOR;
CINCPAC FLT/PA/ COMNAVFORJAPAN/PA.

E.O. 12958: N/A

TAGS: [OIIP](#) [KMDR](#) [KPAO](#) [PGOV](#) [PINR](#) [ECON](#) [ELAB](#) [JA](#)

SUBJECT: DAILY SUMMARY OF JAPANESE PRESS 12/02/08

INDEX:

- (1) Poll on Aso cabinet, political parties (Nikkei)
- (2) DPJ President Ozawa to call on all ruling, opposition parties to join caretaker cabinet (Asahi)
- (3) Futenma not in action (Okinawa Times)
- (4) Third World Congress against Sexual Exploitation of Children and Adolescents: Viewing child porn, manga depicting such to be criminalized; Simple possession of child porn unpunishable in Japan (Mainichi)

ARTICLES:

- (1) Poll on Aso cabinet, political parties

NIKKEI (Page 2) (Full)
December 1, 2008

Questions & Answers

(Figures shown in percentage. Parentheses denote findings for the Aso cabinet from the last survey conducted in October.)

Q: Do you support the new Aso cabinet?

Yes 31 (48)

No 62 (43)

Can't say (C/S) + don't know (D/K) 7 (9)

Q: Which political party do you support or like now?

Liberal Democratic Party (LDP) 39 (41)
Democratic Party of Japan (DPJ or Minshuto) 30 (31)
New Komeito (NK) 5 (3)
Japanese Communist Party (JCP) 3 (5)
Social Democratic Party (SDP or Shaminto) 1 (2)
People's New Party (PNP or Kokumin Shinto) 0 (0)
Reform Club (RC or Kaikaku Kurabu) 0 (0)
New Party Nippon (NPN or Shinto Nippon) 0 (0)
Other political parties 0 (0)
None 15 (11)
C/S+D/K 6 (6)

(Note) The total percentage does not become 100 PERCENT in some cases due to rounding

Polling methodology: The survey was taken Nov. 28-30 by Nikkei Research Inc. by telephone on a random digit dialing (RDD) basis. For the survey, samples were chosen from among men and women aged 20 and over across the nation. A total of 1,559 households with one or more eligible voters were sampled, and answers were obtained from 938 persons (60.2 PERCENT).

(2) DPJ President Ozawa to call on all ruling, opposition parties to join caretaker cabinet

ASAHI (Page 1) (Full)
December 2, 2008

Democratic Party of Japan (DPJ) President Ozawa decided yesterday to
TOKYO 00003285 002 OF 005

call on all ruling and opposition parties to join a caretaker cabinet, keeping an early resignation of Prime Minister Aso in mind. Ozawa envisions a plan to form a provisional cabinet tasked with immediately dissolving the House of Representatives and managing such minimum necessary state affairs as crisis management until a new government is launched. Ozawa intends to carefully watch the political situation and then make the proposal to each political party during party head talks and on other occasions.

Public support for the Aso cabinet has sharply plummeted in public surveys conducted by press companies recently. DPJ members take the view that the Aso administration will not last long. In forcing the prime minister to step down quickly, the DPJ will emphasize, in an attempt to further tear up the LDP, that Aso is the fourth prime minister of the Liberal Democratic Party (LDP) to come into office without a voter mandate, violating the accepted norms of constitutional government.

Ozawa told reporters yesterday in Kumagaya City, Saitama Prefecture:

"Under the current situation, I wonder how long the Aso cabinet will be able to survive. If Prime Minister Aso steps down, it will become inconceivable for the LDP and the New Komeito to assume political power in rotation, only with member changes. ... The next cabinet will be responsible only for carrying out an election. If a general election is held under a caretaker cabinet, each political party's view will be coincident."

Under the Ozawa initiative, ruling and opposition parties, immediately after Aso quits, would form a consensus to break the impasse through Diet dissolution and promptly dissolve the Lower House. Ozawa reportedly said in a recent party executive meeting: "The Aso administration will not be able to survive in the ordinary Diet session in January. It is essential to consider how a caretaker cabinet should be established. There is an idea of forming a cabinet involving all political parties, namely, a grand coalition."

Aso has indicated that the government will not dissolve the Lower House before the fiscal 2009 budget bill is enacted next spring, but Ozawa is determined to continue to call through year's end for an early Diet dissolution. While looking at the government losing momentum, Ozawa hopes to make preparations to set up a post-Aso mechanism.

Even so, there is no possibility of the ruling camp agreeing to the Ozawa initiative. It is also uncertain whether the DPJ will be able to obtain cooperation from other opposition parties. The DPJ intends to explore the appropriate timing for presenting the Ozawa proposal, while reflecting public opinion over an early Diet dissolution and moves in the political world. The party also is willing to secure more sympathizers by stressing that the main opposition party should assume political power if the cabinet loses public trust, in accordance with the procedures of constitutional government.

(3) Futenma not in action

OKINAWA TIMES (Page 2) (Full)
December 2, 2008

GINOWAN-The Japan-U.S. Special Action Committee on Facilities and Areas in Okinawa, or SACO for short, finalized a report 12 years ago

TOKYO 00003285 003 OF 005

today, aiming to realign and reduce the presence of U.S. military bases in Okinawa. The SACO report referred to an intergovernmental agreement between Japan and the United States to return the site of the U.S. Marine Corps' Futenma Air Station into local hands within 5-7 years. However, Futenma airfield has yet to be returned, with no change even now in the situation where U.S. military aircrafts are still flying over the densely populated area. In January next year, U.S. President-elect Obama will be sworn in and his administration will come into office. Ginowan City, which hosts Futenma airfield, is looking forward to seeing a 'change' in the situation through the Obama administration. However, there is no knowing if the airfield will be returned at an early date as proposed by the city.

The SACO decision to return Futenma airfield has been incorporated in the Bush administration's roadmap to realign U.S. forces in Japan. The Japanese government initially planned to relocate the heliport functions of Futenma airfield to a site in waters 2.2 kilometers off the Henoko district of Nago City. The government later changed the initial relocation plan to the current one for laying down a V-shaped pair of airstrips (in a coastal area of Camp Schwab). The Japanese and U.S. governments have announced that Futenma airfield will be returned after its relocation is completed in 2014.

However, Okinawa Prefecture and Nago City, which basically agree to relocate Futenma airfield, disagree to the current plan on building a land-based alternative facility. Okinawa Prefecture and its base-hosting municipalities, including Nago City, have consulted with the government, seeking to move the planned relocation site of Futenma airfield to an offshore area. However, the government is not expected to concur on the local proposal of Futenma airfield's offshore relocation. Meanwhile, the United States also plans to relocate Okinawa-based Marines to Guam, which is said to be in a package with the return of Futenma airfield. The cost of this Guam relocation is likely to be higher than estimated by the Japanese and U.S. governments, and the Futenma relocation plan is being clouded over in its entirety.

In 2004, Ginowan Mayor Yoichi Iha formulated an action program for the return of Futenma airfield within five years. The action program calls for Futenma airfield to be returned by 2008. However, the situation is extremely difficult.

Ginowan City is placing its hopes on Obama's administration for a change. "His administration is in a position that can easily change the framework created by the Bush administration," Iha says. "It's time for the people of Okinawa Prefecture to cry out (for the return of Futenma airfield)," he added.

In 2007, the Japanese and U.S. governments reset the traffic pattern of helicopters to and from Futenma airfield as a measure to remove its danger. In this regard, Iha claims that Futenma-based choppers have ignored this bilateral arrangement of flight paths. In late August this year, the Defense Ministry's Okinawa bureau monitored aircraft flying to and from Futenma airfield. The mayor has worked on the government in trying to explore ways to remove the airfield's

danger. U.S. Forces Japan (USFJ) has worked out what is called the "Japan Environmental Governing Standards (JEGS)," and the city of Ginowan is strongly calling for the JEGS to be observed. However, this remains unable to obtain the government's understanding.

To find a way out of the impasse, Iha and other municipal officials

TOKYO 00003285 004 OF 005

will work out a third action program in 2009. They are also considering bringing up the Futenma issue to an international institution from the perspective of human rights.

The Democratic Party of Japan (Minshuto) has set forth its "Okinawa vision," which advocates relocating Futenma airfield elsewhere outside Okinawa Prefecture or Japan. In this respect, the city of Ginowan is also putting its hopes on the DPJ for a change of government. However, the political situation at home is uncertain. There is no knowing if it will lead to the early return of Futenma airfield.

(4) Third World Congress against Sexual Exploitation of Children and Adolescents: Viewing child porn, manga depicting such to be criminalized; Simple possession of child porn unpunishable in Japan

MAINICHI (Page 3) (Abridged slightly)
December 2, 2008

The Third World Congress against Sexual Exploitation of Children and Adolescents was held in Rio De Janeiro, Brazil from November 25 through 28. Participants compiled a strict action plan that regulates access to child porn and obtaining such as well as viewing child porn and materials that depict explicit images of sexually abused children, including manga and anime. In Japan, the simple possession of child porn and materials depicting such is not punishable. The delay in Japan's approach was visible at the congress.

UNICEF Chief of Secretariat Ann Veneman at the outset of the congress on November 25, joined by about 3,000 delegates from 125 countries, including Japan, called on participating countries to promote measures, noting: "Child pornography is the most serious of all cases that infringe on the rights of children. The threat is internationally spreading on the Internet."

Brazilian President Lula during the meeting made a public appeal on his strict stance, by signing his country's law that makes the simple possession of child porn punishable. He noted, "It is a disgrace to human beings to leave such a crime unattended."

The meeting made an issue over the present situation, in which communications technologies, such as cell phones and file-swapping software, are being used for the production and distribution of child porn. One delegate reported that victimized children are found all over the world due to the collapse of the conventional pattern of industrialized countries victimizing developing countries.

Given such a situation, delegates decided to adopt a zero-tolerance policy of absolutely disallowing child porn. In compiling a new action plan, they decided to criminalize not only making, providing and possessing images of child porn but also viewing such. The action plan also notes that child porn includes manga and anime that depict virtual images or sexual exploitation of children. The action plan has no legal binding force. However, participating countries will have to tackle child porn on their own.

Japan was criticized at the first congress for many sex tours and child porn being available. In 1999, the Diet enacted the child prostitution law. In 2001, Japan strengthened anti-child porn measures through such efforts as to hold the second congress in Yokohama. However, the simple possession of child porn is still

TOKYO 00003285 005 OF 005

legal in Japan. In view of the freedom of expression, materials that do not depict victimized children are unpunishable in Japan. Among

the G-8 nations, only Japan and Russia do not regulate the simple possession of child porn. The U.S., Germany and France already regulate materials that depict child porn as well.

Regional Director for UNICEF Latin America and the Caribbean Nils Kastberg made a harsh remark on Japan: "It has been seven years since the Yokohama congress, and Japan has yet to regulate the simple possession of child porn. This is a problem. I want Japan to seriously consider placing a ban on child porn, including viewing such as well."

Many countries throughout world cooperating for investigation

Saitama prefectural police launched investigation into a case involving child porn using the e-Mule, file-swapping software, in July this year. Information, which led to the investigation, was provided to the National Police Agency through the International Criminal Police Organization (ICPO). Seventy-five countries are now investigating this case in cooperation.

The shared folder of the e-Mule has moving images of child porn. Users can obtain images freely. Three men, who kept moving images in the folder, were arrested on suspicion of violating the child prostitution law.

There were about 200 accesses a day from all over the world to some of the moving images in that software, meaning that the images of Japanese children being sexually exploited having flown outside the country. It is impossible to retrieve those images.

Diet in confusion: No discussion on child porn

The ruling parties in June this year submitted a bill amending the child prostitution law designed to criminalize the simple possession of child porn to satisfy curiosity. The Democratic Party of Japan (DPJ) also compiled an amendment bill to regulate the simple possession of child porn, limiting punishable cases to the obtaining of such for value and repeated acquisitions of such. The Liberal Democratic Party (LDP) and the DPJ had agreed to hold amendment talks. However, with confrontation between the ruling and opposition parties heightening over a Lower House dissolution since the inauguration of the Aso cabinet, the DPJ has postponed the submission of the bill. No talks have been held since then.

While the domestic move to criminalize the simple possession of child porn coming to a standstill, delegates to the Rio decided to criminalize viewing child porn and materials that depict such, leaving Japan further behind. Some ruling party members made a remark in a resigned manner that it cannot be helped if the situation in the Diet is taken into account, though the world is going ahead of Japan.

SCHIEFFER